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Frank C. Eisenschenk, Ph.D., Patent Attorney

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Patent Application Docket No. TPI-350C1 Serial No. 10/660,202

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

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J. Zaworotko, Brian Moulton, Nair Rodriguez-Hornedo

Serial No.

10/660,202

Filed

September 11, 2003

For

Pharmaceutical Co-Crystal Compositions

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§1.97 AND 1.98

Sir:

In accordance with 37 CFR §1.56, the references listed on the attached form PTO/SB/08 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. A copy of each cited reference is enclosed.

It is respectfully requested that the references cited on the attached form PTO/SB/08 be considered in the examination of the subject application and that their consideration be made of record.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

Respectfully submitted,

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Attachments: Forms PTO/SB/08

Copies of Listed References

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Complete if Known Substitute for form 1449A/PTO **Application Number** 10/660,202 INFORMATION DISCLOSURE Filing Date September 11, 2003 STATEMENT BY APPLICANT **First Named Inventor** Örn Almarsson (use as many sheets as necessary) **Art Unit Examiner Name** of **Attorney Docket Number** Sheet 1 TPI-350C1

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	Document Number Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	U1	US-				
	U2	US-				
	U3	US-				
	U4	US-				
	U5	US-				
	U6	US-				
	U7	US-				
	U8	US-				
	U9	US-				

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. 1	Foreign Patent Document  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>			
	F1	WO 02/056878 A2	07-25-2002	Pharmacia Corp.	All				
	F2	WO 01/41536 A2	06-14-2001	Pharmacia Corp.	All				
	F3	EP 1167355 A1	01-02-2002	Fako Ilaclari A.S.	All				
	F4								
	F5		•						
	F6								
	F7								

Examiner	Date
Signature	 Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kind Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard T.3). Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.